

PROCLAMATION

BY THE

Governor of the State of Texas

41-2557

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pursuant to Article IV, Section 14 of the Texas Constitution, I, Ann W. Richards, Governor of Texas, do hereby veto S.B. 1029 because of the following objections:

Although this bill may have been intended to ensure that government entities do not unfairly change the rules that apply to permitting decisions, the bill extends this sound concept to an unacceptable degree. It would prevent local governments from applying rules or standards to a development project that were not in place when the original application was filed for the subdivision -- even though the build-out period for the project might exceed 20 years and involve numerous changes in ownership. In addition, S.B. 1029 would apply retroactively to September 1, 1987. This situation would create chaos for local governments forced to determine on a case-by-case basis which rules could be applied to specific projects, and would nullify rules and ordinances enacted for many projects.

This bill would allow most development in the Barton Creek watershed in Travis County to escape regulation under the City of Austin's water quality ordinances. It would undermine the results of the 1992 local election in which voters overwhelmingly approved a new water quality ordinance.

In addition, the bill applies to all "orders, regulations, ordinances, rules, or other requirements" imposed by a governing agency. Consequently, it could significantly restrict the ability of local governments to prevent further development of colonias, to preserve historic districts, to control flooding, to address new or increasing pollution problems, to create economic development districts, and to encourage development of affordable housing.

The Secretary of State will take notice of this action and will notify the members of the Legislature.

IN TESTIMONY WHEREOF, I have hereunto signed my name officially and caused the Seal of the State to be affixed hereto at Austin, this 5 day of June, 1993.



Ann W. Richards

Ann W. Richards
Governor of Texas

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
11:17 a.m. O'CLOCK

JUN 05 1993
John Nannal
Secretary of State